

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

LIQUOR CONTROL COMMISSION

ON-PREMISES LICENSES

Filed with the Secretary of State on
These rules take effect 7 days after filing with the Secretary of State

(By authority conferred on the liquor control commission by section 215(1) of 1998 PA 58, MCL 436.1215(1))

R 436.1407 of the Michigan Administrative Code is amended and R 436.1410 and R 436.1440 are added to the Code as follows:

R 436.1407 TEMPORARY ENTERTAINMENT, DANCE, OR DANCE ENTERTAINMENT PERMITS; APPROVAL.

Rule 7. (1) The commission may issue up to 12 daily temporary dance, entertainment, or dance entertainment permits to a licensee each calendar year upon written request of the licensee and approval of the chief law enforcement officer who has jurisdiction.

- (2) THE COMMISSION MAY ISSUE UP TO 12 DAILY TEMPORARY TOPLESS ACTIVITY PERMITS TO A LICENSEE EACH CALENDAR YEAR UPON WRITTEN REQUEST OF THE LICENSEE, APPROVAL OF THE CHIEF LAW ENFORCEMENT OFFICER WHO HAS JURISDICTION, AND THE APPROVAL OF THE LOCAL LEGISLATIVE BODY OF THE JURISDICTION WITHIN WHICH THE PREMISES ARE LOCATED.

May 28, 2002

R 436.1410 Entertainers or employees engaged in topless activity.

RULE 10. AN ON-PREMISES LICENSEE SHALL NOT ALLOW TOPLESS ACTIVITY, AS DEFINED IN SECTION 916(11)(B) OF 1998 P.A. 58, MCL 436.1916(11)(B), ON THE LICENSED PREMISES UNLESS ALL OF THE FOLLOWING CONDITIONS ARE MET:

(A) THE LICENSEE HAS A VALID PERMIT ISSUED BY THE COMMISSION WHICH ALLOWS TOPLESS ACTIVITY.

(B) THE PERSON PERFORMING ANY TOPLESS ACTIVITY IS ON A STAGE OR PLATFORM NOT LESS THAN 18 INCHES ABOVE THE IMMEDIATE FLOOR LEVEL AND IS REMOVED NOT LESS THAN 3 FEET FROM THE NEAREST PATRON AT ALL TIMES DURING A PERFORMANCE.

(C) A PERSON PERFORMING ANY TOPLESS ACTIVITY IS NOT PERMITTED TO MAKE PHYSICAL CONTACT WITH A PATRON AND A PATRON IS NOT PERMITTED TO MAKE PHYSICAL CONTACT WITH THE PERSON PERFORMING ANY TOPLESS ACTIVITY DURING THE TOPLESS ACTIVITY.

R 436.1440 REMOVAL OF LIQUOR FROM PREMISES PROHIBITED.

RULE 40. AN ON-PREMISES LICENSEE SHALL NOT ALLOW A CUSTOMER TO REMOVE AN OPEN CONTAINER OF ALCOHOLIC LIQUOR OR ANY ALCOHOLIC LIQUOR SOLD FOR CONSUMPTION ON THE PREMISES FROM THE LICENSED PREMISES.